

JOE WARDY
MAYOR



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

**PROPOSED AGENDA FOR
REGULAR COUNCIL MEETING, COUNCIL CHAMBERS
JUNE 8, 2004
9:00 A.M.**

ROLL CALL

Invocation – Police Chaplain Clift Barnes
Pledge of Allegiance

REGULAR AGENDA

1. Proposed construction of arena and parking garage at Bassett Center. [Anita Blair]
2. Discussion and action to have Access Insurance pay for my treatment for PTSD at on-site academy. Dr. Brooker and all the PHA Physician Group are refusing to treat me because I have complained to the City about them. I also will be talking about past treatment given to me by the Fire Department Stress Management Program. I will be talking about how the City of El Paso refused to pay under Workers' Compensation and I will be talking about the PHA Physician, Dr. Cepeda. [Kendall Gutierrez]
3. Trash and landfill concerns. [Esther Perez]

MAYOR'S PROCLAMATION

1. ***West Point Day***

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Additions to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members or persons in the audience. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

CONSENT AGENDA

4. APPROVAL OF MINUTES: [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for Regular City Council Meeting of June 2, 2004.

5. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

6. RESOLUTIONS:

6A. That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **NOELLE CROUTHERS**, as an Undergraduate Intern for the El Paso International Airport at the rate of \$7.25 per hour, not to exceed 40 hours per week. The term of the contract shall be from June 11, 2004 through December 11, 2004. [Airport, Patrick T. Abeln, (915) 780-4724]

6B. That the Mayor is hereby authorized to sign a Right of Entry Agreement granting access to the El Paso Electric Company to install new electrical service for the new Fixed Base Operators Ramp located on the property described as El Paso International Airport Tracts, Unit 11, Block 23, Lot 1, El Paso, Texas. **(District 3)**
[Airport, Patrick T. Abeln, (915) 780-4724]

6C. That the Mayor be authorized to sign the following grant application on behalf of the Arts and Culture Department for submission to the Heartland Arts Fund ("HAF") and to sign the related contract and documents should funds be granted, either in the requested amount or at such lesser amounts as may be approved by the HAF. This grant will be used for the Discovery Dance Series February 12, 2005. The grant request is as follows. **(All Districts)**
[Arts and Culture, Alejandrina Drew, (915) 541-4481]

- 1.** To request and receive \$2,325 for artistic fee support to present Alvin Ailey II Dance Company on February 12, 2005, for the Discovery Dance Series for FY 2005. New City match is not required for the amount of the grant actually awarded.

6D. That the Mayor be authorized to sign the following contracts on behalf of the Arts and Culture Department, to be funded through the FY2004 Downtown Festivals and Cultural Programs of the Arts and Culture Department, as recommended by the Arts and Culture Advisory Board and Staff. **(All Districts)**
[Arts and Culture, Alejandrina Drew, (915) 541-4481]

	ORGANIZATION	AMOUNT
1.	League of United Latin American Citizens/FLHCC Council 132	\$2,570.00
2.	Ballet Folklorico Paso del Norte/Eden Enterprises	\$2,000.00
	TOTAL:	\$4,570.00

- 6E.** That the Mayor, having found in accordance with Section 13.32.040 of the El Paso Municipal Code that (1) the late filing was not due to a lack of diligence on the part of the applicant; and (2) the short notice does not unreasonably prejudice the City in preparing for the parade or temporary event, has approved the following parade permit, and that such approval is hereby ratified:

Request submitted on May 28, 2004, by Marcela Hinojosa for a block party in the 5600 block of Beacon Avenue, between Paisano Drive and Glenwood Street, beginning at 12:00 noon on Saturday, May 29, and continuing until 2:00 a.m. on Sunday, May 30, 2004. **(District 3)**

[Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]

- 6F.** That the City Attorney be authorized to retain outside counsel to provide professional legal services in connection with the City of El Paso Arena Bonds and to execute the necessary Professional Services Letter of Engagement.

[City Attorney's Office, Theresa Cullen-Garney, (915) 541-4550]

- 6G.** That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **HECTOR H. LOPEZ**, to assist the Economic Development Department as an Industry Development Advisor at a biweekly rate of \$1, 423.08 for 40 hours per week. The term of the contract shall be for the period of June 10, 2004 through September 9, 2004.

[Economic Development, David G. Dobson, (915) 541-4680]

- 6H.** That the Mayor be authorized to sign an Agreement for Architectural Services by and between the CITY OF EL PASO and ARTCHITECTURE I, LP dba ARTchitecture, for a project known as "Ranchos del Sol Park", in an amount not to exceed ONE HUNDRED ONE THOUSAND FOUR HUNDRED SEVENTY-FIVE and 00/100 DOLLARS (\$101,475.00). **(District 6)**

[Engineering Department, Irene Ramirez, (915) 541-4431]

- 6I.** That the City waive all of its portion of payment in lieu of taxes (P.I.L.O.T.) from the Housing Authority of the City of El Paso until November 1, 2013 in accordance with the Cooperation Agreement, and amendments thereto, between the City and the Housing Authority, with the monies to be designated to the Y.W.C.A. for childcare services in public housing complexes and/or for the benefit of public housing residents.

[Financial and Administrative Services, William Chapman, (915) 541-4011]

- 6J.** That the Classification and Compensation Plan shall be amended, as recommended by the Civil Service Commission. The class of **CITY INTERNAL AUDITOR** is hereby revised as specified in the duties and responsibilities attached hereto. The Code will remain **5223**. The Grade shall be **EX D**.

[Human Resources, Terry A. Bond, (915) 541-4509]

- 6K.** That the Mayor be authorized to execute the following **INDEPENDENT CONTRACTOR** contracts on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for these contracts is in fiscal year **2003/2004** appropriations to be approved by the City Council.

[Parks & Recreation, Norman Merrifield, (915) 541-4331]

SAN JUAN RECREATION CENTER
DEPARTMENT ID: 51510123, ACCOUNT 502214

1. CONTRACTOR: Martin Maldonado, Referee
DATES: June 22, 2004 through August 30, 2004
RATE PER CL: \$14.00
MAXIMUM AMT: \$840.00
CONTRACT: **2003/2004-150**
2. CONTRACTOR: Anita Martell, Aerobics Instructor
DATES: June 22, 2004 through August 31, 2004
RATE PER CL: \$7.90
MAXIMUM AMT: \$339.70
CONTRACT: **2003/2004-151**
3. CONTRACTOR: Mandy F. Johnson, Scorekeeper
DATES: June 9 2004 through August 31, 2004
RATE PER CL: \$6.00
MAXIMUM AMT: \$584.00
CONTRACT: **2003/2004-152**

6L. That the Mayor be authorized to sign an Agreement for Architectural Services by and between the **CITY OF EL PASO** and **MORRIS ARCHITECTS**, for a project known as **"Zoo Western Expansion"**, in an amount not to exceed TWO MILLION EIGHT THOUSAND TWENTY-NINE and 00/100 DOLLARS (\$2,008,029.00). [Perspectiva + 3D/I (P+3), Juan Contreras, (915) 225-3449]

6M. That the Solid Waste Management be authorized to terminate for Notice the Recycling Contract between the City of El Paso and El Paso Disposal dated January 13, 2004 pursuant to the provisions and requirements of Section 10, Termination Clause. The termination shall be effective as of June 16, 2004. [Solid Waste Management, Jeffrey Belles, (915) 621-6719] **(All Districts)**

6N. That the Mayor be authorized to execute a tax resale (quitclaim) deed on behalf of all the taxing entities they represent conveying to **Cesar Hernandez**, all of the right, title, and interest of all taxing units interested in the tax foreclosure judgment in the following described real property located in El Paso County, Texas, the tax sale deed shall be executed upon the execution of the resolution authorizing the tax resale by all the interested taxing entities.

Lots 55 and 56, Block B, Bassett Addition, an Addition to the City of El Paso, being more particularly described in Volume 178, Page 416, Deed Records of El Paso County, Texas. (PID #B202-999-000B-7600) **(District 8)**
[Tax Office, Juan Sandoval, (915) 541-4369]

- 7. REINSTATEMENT:** Request for name to be placed on Reinstatement List in accordance with Article VI, Section 6.10.10, of the Civil Service Charter Provisions:

Mckenzie, Enrique – Coach Operator
[Sun Metro, Terry Lee Scott, (915) 534-5810]

8. Appointment of Eleanor Ann Smyth, Solid Waste Management Director (provisional), effective July 8, 2004. [Mayor & Council, Jim Martinez, (915) 541-4015]
9. Request that the following installment agreements for **AD VALOREM** taxes be approved in the amount shown and that the Mayor be authorized to sign the payment agreements on behalf of the City: [Tax Office, Juan Sandoval, (915) 541-4369]
 - 9A. PID #H011-000-0130-0400, \$360.01 per month installments on a balance of \$2,160.06 for 2003 taxes; Josefina A. & Nicol Avalos – 11720 Valle Viejo. **(District – County)**
 - 9B. PID #L447-999-085A-0700, \$193.76 per month installments on a balance of \$2,325.12 for 2003 taxes; Edward L. Mendoza – 3527 Thomason Ave. **(District 2)**
 - 9C. PID #M579-999-0040-0600, \$398.13 per month installments on a balance of \$4,777.56 for 1999, 2000, 2001 & 2002 taxes; Antonio Pinales & Xochitl Mendoza – 9720 El Tepeyac. **(District 6)**
 - 9D. PID #M794-999-0230-1300, \$279.82 per month installments on a balance of \$3,357.84 for 2000, 2001 & 2002 taxes; Sergio & Maria Alcantar – 3823 Jefferson Ave. **(District 2)**
 - 9E. PID #R330-999-0070-1500, \$338.36 per month installments on a balance of \$2,706.88 for 2003 taxes; Jesus G. & Silvia Hernandez – 829 Centennial Dr. **(District 1)**
 - 9F. PID #V893-999-0840-6100, \$243.09 per month installments on a balance of \$2,430.90 for 2003 taxes; Virginia M. Rascon – 10933 Art Wall Dr. **(District 5)**
 - 9G. PID #V893-999-573A-1100, \$437.99 per month installments on a balance of \$3,941.91 for 2003 taxes; Maria T. Lerma-Ortiz – 1352 Marta Duron. **(District 6)**
 - 9H. PID #W418-999-0050-0500, \$712.58 per month installments on a balance of \$4,275.48 for 2003 taxes; Raymundo Rojo – 656 Rosinante. **(District 8)**
 - 9I. PID #T340-999-0010-0400, \$1,133.52 per month installments on a balance of \$13,602.24 for 2003 taxes; Bryan & Carol Abraham – 5401 Tierra Vista Ln. **(District 1)**
 - 9J. PID #V893-999-5200-0200, \$166.97 per month installments on a balance of \$2,671.52 for 2003 taxes; Miguel & Leonor E. Lugo – 12224 El Greco Cir. **(District 6)**

10. BEST VALUE PROCUREMENT:

This contract shall be awarded to the bidder who provides the best value to the City. The City may consider price and other relevant criteria listed in the request for bids.

Bid No.:	2004-150	Household Hazardous Waste Disposal Services
Award to:		Environmental Management Services of Texas, Inc.
		El Paso, TX
Item (s):	1	
Amount:		\$265,000.00 (estimated year)
Department:		Solid Waste Management
Funds available:		34010289-40403-502115
Funding source:		Outside Contracts
Total award:		\$795,000.00 (estimated)
District (s):		All

Solid Waste Management and Purchasing recommend awards as indicated as this vendor has provided the Best Value Bid Procurement meeting specifications.

This is a thirty-six (36) month contract with the option to extend the term of this contract for two (2) additional years. Additionally, Environmental Management Services of Texas, Inc. offers a 5% 10 days prompt payment discount.

[Purchasing Department, Ray Heredia, (915) 541-4316]

11. BIDS:

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

11A. Bid No.: 2004-179 VHS Storage Cabinets
Award to: ATD-American Company
Wyncote, PA
Item (s): 1 & 2
Amount: \$24,947.04

Department: Police
Funds available: 21150060-16371-508007-Project P500231
Funding source: Confiscated-Public Safety Equipment
Total award: \$24,947.04
District (s): 8

The El Paso Police and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a one-time purchase

[Purchasing Department, Ray Heredia, (915) 541-4316]

11B. Bid No. 2004-185 Old Clint Landfill Fencing Improvements
Contractor: Matyear Construction Company, Inc.
El Paso, Texas
Department: Solid Waste Management

Funds Available: 34010296-40499-PSWM0008-508001
Funding Source: Solid Waste Management Internal Funding
Items: Base Bid I \$141,417.00
Total Award: \$141,417.00
District (s): All

RECOMMENDATION:

The Departments of Purchasing, Engineering, and Solid Waste Management recommend that Gemco Construction Inc., the low bidder, be allowed to withdraw their bid without prejudice or forfeiture of their bid security. It is further recommended that the award of this contract be to Matyear Construction Company, Inc., as they would now be the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the City Engineer, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

[Purchasing Department, Barbara Crumley, (915) 541-4315]

12. BUDGET TRANSFERS: [Office of Management and Budget, David Almonte, (915) 541-4011]

12A. BT2004-785 HEALTH

TCEQ increased the contract for the TCEQ PM Sampling contract, effective on April 1, 2003 through August 31, 2004.

Increase	\$231,965	to	41150012/G41042105621/406001	St Grt Proc
Increase	\$ 5,583	to	41150012/G41042105621/501000	N-UnifWg&Sal
Increase	\$ 243	to	41150012/G41042105621/501100	WkrComp-Civ
Increase	\$ 313	to	41150012/G41042105621/501108	POSCECntb
Increase	\$ 6	to	41150012/G41042105621/501114	Life Ins
Increase	\$ 614	to	41150012/G41042105621/501124	City Pension
Increase	\$ 361	to	41150012/G41042105621/501129	FICACMatCiv
Increase	\$ 85	to	41150012/G41042105621/501130	FICA-Med
Increase	\$224,760	to	41150012/G41042105621/508016	Arch & Design

12B. BT2004-814 PLANNING, RESEARCH, & DEVELOPMENT

FY04 expenditures expected to exceed budget.

Decrease	\$8,090	from	08010036/01101/502205	LegalNotices
Increase	\$2,739	to	08010034/01101/502302	Print Shop
Increase	\$5,171	to	08010034/01101/502304	MailRmChg
Increase	\$ 180	to	08010034/01101/504002	Paging Svc

12C. BT2004-737 PARKS AND RECREATION

This budget transfer recognizes actual revenues from Parkland Dedication fees and appropriates money to be used for parks construction within the same park zone as the development that generated the revenue. Parkland Dedication fees are paid by developers based upon City Ordinance.

Increase	\$ 300.00	to	51159242/P51800080916148/405072	Parkland Ded
Increase	\$ 300.00	to	51159242/P51800080916148/508004	Parkland Ded
Increase	\$36,800.00	to	51159242/P51800005316027/405072	Parkland Ded
Increase	\$36,800.00	to	51159242/P51800005316027/508004	Parkland Ded
Increase	\$ 3,000.00	to	51159242/P51800015916133/405072	Parkland Ded
Increase	\$ 3,000.00	to	51159242/P51800015916133/508004	Parkland Ded
Increase	\$93,300.00	to	51159242/P51800086416204/405072	Parkland Ded
Increase	\$93,300.00	to	51159242/P51800086416204/508004	Parkland Ded
Increase	\$ 1,800.00	to	51159242/P51800086516205/405072	Parkland Ded
Increase	\$ 1,800.00	to	51159242/P51800086516205/508004	Parkland Ded
Increase	\$42,340.00	to	51159242/P51800083616175/405072	Parkland Ded
Increase	\$42,340.00	to	51159242/P51800083616175/508004	Parkland Ded
Increase	\$ 3,000.00	to	51159242/P51800083616175/405072	Parkland Ded
Increase	\$ 3,000.00	to	51159242/P51800083616175/508004	Parkland Ded
Increase	\$ 3,181.20	to	51159242/P51800015416128/405072	Parkland Ded
Increase	\$ 3,181.20	to	51159242/P51800015416128/508004	Parkland Ded

Increase	\$ 1,800.00	to	51159242/P51800015316127/405072	Parkland Ded
Increase	\$ 1,800.00	to	51159242/P51800015316127/508004	Parkland Ded
Increase	\$ 1,200.00	to	51159242/P51800014516119/405072	Parkland Ded
Increase	\$ 1,200.00	to	51159242/P51800014516119/508004	Parkland Ded
Increase	\$ 5,793.00	to	51159242/P51800008216056/405072	Parkland Ded
Increase	\$ 5,793.00	to	51159242/P51800008216056/508004	Parkland Ded
Increase	\$27,300.00	to	51159242/P51800011316087/405072	Parkland Ded
Increase	\$27,300.00	to	51159242/P51800011316087/508004	Parkland Ded
Increase	\$ 300.00	to	51159242/P51800005016024/405072	Parkland Ded
Increase	\$ 300.00	to	51159242/P51800005016024/508004	Parkland Ded

13. APPLICATIONS FOR USE OF CITY PARKS/STREETS & SIDEWALKS:

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events.

13A. Catholic Community of Corpus Christi to hold a procession on June 13, 2004 from 6:00pm to 8:00pm. Route: Starting at 451 Mockingbird and proceeding on Mockingbird, turning right on North Loop, proceeding on North Loop and ending at 9205 North Loop. Approximately 400 persons will participate with no spectators anticipated. This request includes permission to use amplification (2 speakers and 2 microphones). PERMIT 04-048 **(District 6)** [Mike Garcia]

13B. Centro de Salud Familiar La Fe to hold their 11th annual Father's Day 5K Community Health Run/Walk on June 19, 2004 from 7:30am to 10:00am. Route: Starting at corner of Father Rahm and Virginia, turning left on Kansas, turning left on Ninth, turning left on Campbell, turning right on Seventh, turning left on Tays, turning left on Sixth, turning right on Campbell, turning right on Third, turning left on Virginia, turning right on Delta, turning right on Cotton, turning right on Father Rahm, ending at corner of Father Rahm and Virginia. Approximately 250 persons will take part and 100 spectators are anticipated. This request includes permission to use amplification (two 400 watt speakers, one 250 watt amp, and one wireless microphone). PERMIT 04-049 **(District 8)** [Jesus Quinonez]

13C. San Juan Bautista Catholic Church will be holding a procession on June 13, 2004 from 7:00pm to 8:30pm. Route: Starting at 5647 Dailey, turning left on Glenwood, turning right on Tamburo, turning left on Frederick, turning right on Cleveland, turning left on Clark, turning right on Trowbridge, turning right on Geronimo, turning right on Yandell, turning left on Frederick, turning right on Ybarra, turning left on Glenwood, turning right and ending on 5647 Dailey. Approximately 200 people are participating in the event. This request includes permission to use amplification (one pa system, 150 watts, two microphones). PERMIT 04-050 **(District 3)** [James P. Martin]

- 13D.** Sacred Heart Church to hold a procession on June 18, 2004 from 6:00pm to 7:20pm. Route: Starting at 602 S. Oregon and turning left on Father Rahm, turning right on Ochoa, turning right on 7th, turning left on Kansas, turning right on 8th, turning right on Oregon and ending on 602 S. Oregon. Approximately 100 persons will take part with no spectators expected. This request includes permission to use amplification (1 small PA system and 1 microphone). PERMIT 04-051 **(District 8)** [Fr. Rafael Garcia, S.J.]
- 13E.** Sacred Heart Church to block off S. Oregon Street between 4th and Father Rahm on June 18, 2004 from 6:00pm to 11:59pm and June 19, 2004 from 10:00am to 11:59pm for a church patronal feast block party. Approximately 50 persons will take part and 60 spectators are expected. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices." PERMIT 04-052 **(District 8)** [Fr. Rafael Garcia, S.J.]
- 13F.** League of United Latin American Citizens Council 132 to hold a parade on August 28, 2004 from 12:00 p.m. to 2:00 p.m. Route: Start on Montana and Kansas, proceed on Montana to Oregon, turn left on Oregon to San Antonio, turn left on San Antonio and finish at Ochoa. Approximately 400 persons, 30 vehicles will take part and 2,000 spectators are anticipated. PERMIT 04-053 **(District 8)** [Ricardo Aros]

REGULAR AGENDA

14. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

- 14A.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited At All Times On Certain Streets) to Delete An Existing Location On Both Sides of Westwind Drive From Southwind Drive to Pino Real Drive. The Penalty Being as Provided In Section 12.84.010 Of The El Paso Municipal Code. **(District 1)**
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

- 14B.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.180 (No Stopping or Standing - Tow-Away Zone), Subsection (A) Of The El Paso Municipal Code, By Adding New and Revising Existing Parking Restrictions On Westwind Drive. The Penalty As Provided in Section 12.84.010 Of The El Paso Municipal Code. **(District 1)**
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 14C.** An Ordinance amending Ordinance 8065, Civil Service Rules and Regulations, Rule 1, Civil Service Commission, to change the Commission Procedures.
[Human Resources, Terry A. Bond, (915) 541-4509]
- 14D.** An Ordinance amending Ordinance 8065, Civil Service Rules and Regulations, Rule 14, Efficiency Ratings, Section 7, Appeals, to change the Appeals Process.
[Human Resources, Terry A. Bond, (915) 541-4509]
- 14E.** An Ordinance amending Ordinance 8065, Civil Service Rules and Regulations, Rule 20, Lay-Off, Job rights, Reinstatement, to amend the Lay-Off and Reinstatement Procedures. [Human Resources, Terry A. Bond, (915) 541-4509]
- 14F.** An Ordinance amending Ordinance 8065, Civil Service Rules and Regulations, Rule 21, Ex-Parte Communications, to change the restrictions placed on Ex-Parte Communications. [Human Resources, Terry A. Bond, (915) 541-4509]
- 14G.** An ordinance amending the 2025 proposed thoroughfare system as detailed in the map atlas of the plan for El Paso and its related documents as originally approved by the El Paso City Council in 1999, and as subsequently amended, to redesignate proposed Arterial 1, between Mesa Street and Stanton Street as a collector arterial and delete the proposed Stanton Street extension between Arterial 1 and its existing termination point near Excalibur. **(District 1)**
[Planning Research and Development, Chuck Kooshian, (915) 541-4632]

PUBLIC HEARING WILL BE HELD ON JUNE 22, 2004 FOR ITEMS 14A – 14G

- 14H.** An Ordinance Granting Special Permit No. ZON04-00061, to allow for infill development on Lots 3, 4 and 5, Block F, Grandview Addition, El Paso, El Paso County, Texas (Idalia Avenue), pursuant to Section 20.14.040 (Zoning) of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. ZONE: R-5 (Residential). Applicant: Tito Porras / Representative: Luis Sarinana, 516½ Mauer, El Paso, TX 79915 **(District 2)**
[Planning, Research and Development, Kimberly Forsyth, (915) 541-4631]

PUBLIC HEARING WILL BE HELD ON JUNE 29, 2004 FOR ITEM 14H

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

15. DISCUSSION AND ACTION – ENGINEERING:

Discussion and action on approval of Conditional “B” building permits for Maria Seanes Unit Three Subdivision. **(District 6)** [Engineering Department, Bashar Abugalyon, (915) 541-4157]

16. DISCUSSION AND ACTION – OFFICE OF MANAGEMENT & BUDGET:

Discussion and action on committee report and recommendations regarding the Non-Uniformed City Employee Pension Fund.
[Office of Management and Budget, David Almonte, (915) 541-4011]

17. DISCUSSION AND ACTION – PURCHASING:

Resolution that the City of El Paso hereby awards Contract Bid No. 2004-092, El Paso Zoo New Zoo Support Facilities to Dantex Construction Company in the amount of \$3,177,209.00, as this offeror provides the best value to the City based on the published criteria and on its ranking evaluation; and

That the Mayor be authorized to sign the contract referenced above as approved by the City Engineer, Contract Compliance, Purchasing, and the City Attorney; and

That, the Mayor be authorized to execute budget transfers for this award and project as necessary; and

That the City Engineer is hereby authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order and 10% of the original contract price as awarded, without further authorization by City Council.

[Purchasing Department, Byron Johnson, (915) 541-4308]

18. PUBLIC HEARINGS – BUILDING PERMITS AND INSPECTIONS:

18A. Public hearing to determine if the property located at 378 S. Santa Fe Street AKA 115 W. Paisano Drive, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated September 26th, 2003. The owner of this property, Anid, Inc., 2120 Myrtle Avenue, El Paso, Texas 79901, has been notified of the violations at this property. Delinquent taxes in the amount of \$0. **(District 8)**
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]

18B. Public hearing to determine if the property located at 7429 Rose Circle, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated September 11th, 2003. The owners of this property, Teresa L. Lerma and Eduardo N. Lerma, 1417 Montana Avenue, El Paso, Texas 79902, have been notified of the violations at this property. Delinquent taxes in the amount of \$873.84 for year 2003. **(District 3)**
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]

- 18C.** Public hearing to determine if the property located at 7202-7204 North Loop Drive, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated December 8th, 2003. The owner of this property, Gonzalo Gonzalez, Owner, 7202-7204 North Loop Drive, El Paso, Texas 79915 and Gonzalo Gonzalez, Owner, 7221 North Loop Drive, El Paso, Texas 79915, has been notified of the violations at this property. Delinquent taxes in the amount of \$0. **(District 3)**
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]
- 18D.** Public hearing to determine if the property located at 231 Lolita Place, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated September 23rd, 2003. The owner of this property, Juana G. Delgado, 231 Lolita Place, El Paso, Texas 79907, has been notified of the violations at this property. Delinquent taxes in the amount of \$1,743.28. **(District 6)**
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]
- 18E.** Public hearing to determine if the property located at 315 Kitt Road, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated June 30th, 2003. The owner of this property, Wachovia Bank National Association, A National Banking Association as Trustee for the Long Beach Mortgage Loan Trust 2002-2, C/O Washington Mutual, P. O. Box 1093, Northridge, California 91328, has been notified of the violations at this property. Delinquent taxes in the amount of \$0. **(District 7)**
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]

19. PUBLIC HEARING – CITY ATTORNEY’S OFFICE:

An Ordinance amending Ordinance Numbers 009918, 010482, 010544, 011098, 011779, 012466 and 013481 which established and amended the Andy and Syd Cohen Stadium Lease between the City Of El Paso and the El Paso Diablos, Inc., which was subsequently assigned to El Paso Baseball Club, LLC, to revise the obligation to pay rent as set forth in said Lease. **(District 4)** [City Attorney’s Office, Sylvia Borunda-Firth, (915) 541-4550]

20. PUBLIC HEARINGS – PLANNING, RESEARCH AND DEVELOPMENT:

- 20A.** Resolution that the Mayor be authorized to sign an Amendment to the Contract between TEXAS COMMERCE BANK - EL PASO, NA, INDEPENDENT EXECUTOR AND TRUSTEE UNDER THE WILL OF MARY WHITE BOYKIN, DECEASED, First Party, and the CITY OF EL PASO, Second Party, amending the Contract imposed by Ordinance No. 8929 and dated February 17, 1987; to release Condition No. 5 on the property described as *Lots 18, 19, 20, 21, and 22, Block 3, and a Portion of Kappa Road, Keystone Business Park, El Paso, El Paso County, Texas. ZONE: C-4/sc (Commercial/special contract). ZON04-00028. Applicant: Keystone Dam, Ltd./ Representative: Paul O. Sergeant, Jr., 6006 N. Mesa, Suite 110, El Paso, TX 79912. THIS IS AN APPEAL CASE.* **(District 8)** [Planning, Research and Development, Kimberly Forsyth, (915) 541-4631]

- 20B.** An Ordinance changing the zoning of a Portion of Tract 3J, Section 43, Block 80, Township 1, Texas & Pacific Railway Company Surveys, El Paso, El Paso County, Texas (Cross Street & Railroad Drive) from C-4 (Commercial) to R-5 (Residential). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. ZON04-00014. Applicant / Representative: Carefree Land, R.P., 1560 Goodyear, El Paso, TX 79936 **(District 4)**
[Planning, Research and Development, Kimberly Forsyth, (915) 541-4631]
- 20C.** An Ordinance granting Special Permit No. ZON04-00015, to allow for a planned residential development on a Portion of Tract 3J, Section 43, Block 80, Township 1, T & PRRC Surveys, El Paso, El Paso County, Texas (Cross Street and Railroad Drive) pursuant to Section 20.14.040 (Zoning) of the El Paso Municipal Code. The penalty is as provided in Chapter 20.68 of the El Paso Municipal Code. ZONE: R-5 (Residential). Applicant / Representative: Carefree Land, R.P., 1560 Goodyear, El Paso, TX 79936 **(District 4)**
[Planning, Research and Development, Kimberly Forsyth, (915) 541-4631]
- 20D.** An Ordinance changing the zoning of a Portion of Lots 1C1 and 1D1, Block 10, Upper Valley Surveys, El Paso, El Paso County, Texas (Gomez Road & Oscar Perez Ave.) from R-F (Ranch-Farm) to R-2 (Residential). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. ZON04-00032. Applicant: View Point Acreage, L.L.C./ Representative: Brock & Bustillos, Inc., 417 Executive Center Blvd., El Paso, TX 79912 **(District 1)**
[Planning, Research and Development, Kimberly Forsyth, (915) 541-4631]
- 20E.** An Ordinance granting Special Permit No. ZON04-00031, to allow for a planned residential development on a Portion of Lots 1C1 and 1D1, Block 10, Upper Valley Surveys, El Paso, El Paso County, Texas (Gomez Road & Oscar Perez Ave.) pursuant to Section 20.12.040 (Zoning) of the El Paso Municipal Code. The penalty is as provided in Chapter 20.68 of the El Paso Municipal Code. ZONE: R-2 (Residential). Applicant: View Point Acreage, L.L.C./ Representative: Brock & Bustillos, Inc., 417 Executive Center Blvd., El Paso, TX 79912 **(District 1)** [Planning, Research and Development, Kimberly Forsyth, (915) 541-4631]
- 20F.** An Ordinance changing the zoning of Lot 24, save and except a strip of land 1.5 Feet by 65 Feet out of the Northeasterly portion of said Lot and all of Lots 25 and 26, Block 50, Government Hill Addition, El Paso, El Paso County, Texas (4114-4116 Bliss Avenue) from R-4 (Residential) to A-2 (Apartment). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. ZON04-00046. Applicant: William Martin Leff / Representative: J.R. Rubalcava, Sr., 3118 Montana, El Paso, TX 79903 **THIS IS AN APPEAL CASE.**
(District 2) [Planning, Research and Development, Kimberly Forsyth, (915) 541-4631]
- 20G.** An Ordinance amending the 2025 Proposed Thoroughfare System as detailed in the Map Atlas of The Plan for El Paso and its related documents as originally approved by the El Paso City Council in 1999, and as subsequently amended. (Riverbend Drive) **(District 8)**
[Planning Research and Development, Chuck Kooshian, (915) 541-4632]

- 20H.** An Ordinance amending the 2025 Proposed Thoroughfare System as detailed in the Map Atlas of The Plan for El Paso and its related documents as originally approved by the El Paso City Council in 1999, and as subsequently amended. (Billy the Kid Drive). **(District 6)**

[Planning Research and Development, Chuck Kooshian, (915) 541-4632]

21. PUBLIC HEARING – SOLID WASTE MANAGEMENT:

An Ordinance Amending Title 9 (Health And Safety) To Readopt Chapter 9.04 (Solid Waste Management). The Penalty Being As Provided In Chapter 9.04.390 Of Chapter 9.04 Of The El Paso Municipal Code. [Solid Waste Management, Jeffrey Belles, (915) 621-6719]

- 22.** The City Council of the City of El Paso will retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss and take action on any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.)

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.072 DELIBERATION REGARDING REAL PROPERTY

Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS

Section 551.074 PERSONNEL MATTERS

Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- 22A.** Armando Gutierrez, 03-C-022 (551.071)

[City Attorney's Office, Michele Little Locke, (915) 541-4550]

- 22B.** Sun Metro Collection for vehicle number 9423, Allstate claim number 6321941806 (551.071) [City Attorney's Office, Michele Little Locke, (915) 541-4550]

- 22C.** Discussion and Action on Enforcement of Chapter 5.54 of the City of El Paso Municipal Code. (551.071) [City Attorney's Office, Michael Moffeit, (915) 541-4550]

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print or audio tape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

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